

Exhibit C

1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

3 Case No. 1:18-cv-06127 (CBA) (RML)

4

5 - - - - - X

6 MONICA MORRISON,

7 Plaintiff and

8 Counterclaim Defendant,

9 v.

10 ROBERT LANGRICK,

11 Defendant and

12 Counterclaim Plaintiff.

13 - - - - - X

14 VOLUME I Pages 1-178

15

16 VIRTUAL VIDEOTAPED DEPOSITION OF

17 FRANCIS THOMAS MORAN

18 Thursday, May 14th, 2020

19 9:56 a.m. Eastern Standard Time

20

21

22 -- Reporter: Kimberly A. Smith, CSR, CRR, CRC, RDR --

23 Realtime Systems Administrator

24 U.S. Legal Support

25

1 APPEARANCES:

2

3 Henry R. Kaufman, P.C.

4 By: Henry Kaufman, Esq.

5 60 East 42nd Street, 47th Floor

6 New York, NY 10168

7 (212) 880-0842

8 hkaufman@hrkaufman.com

9 for the Plaintiff and Counterclaim

10 Defendant;

11

12 Clare Locke LLP

13 By: Andrew C. Phillips, Esq.

14 10 Prince Street

15 Alexandria, VA 22314

16 (202) 628-7400

17 andy@clarelocke.com

18 for the Defendant and Counterclaim

19 Plaintiff.

20

21 Also Present: Monica Morrison

22 Robert Langrick

23 Shawn Capron, Videographer

24

25

I N D E X

WITNESS: Francis Thomas Moran

5	EXAMINATION	Page	
6	By Mr. Phillips	6	
7	AFTERNOON SESSION		
8	By Mr. Kaufman	130	
9			
10	EXHIBITS FOR IDENTIFICATION:		
11	Defendant's	Description	Page
12	DX-1	Hanover Police Department file	19
13	DX-2	Plaintiff's complaint for declaratory	32
14		judgment	
15	DX-3	Counterclaim defendant's answer	40

1 details otherwise, I believe that's what happened.

2 Q. So I want to break that down just a little
3 bit. So you referred to the fact that during an
4 investigation, you can learn facts that dispel the
5 credibility of the complainant?

6 A. Or cloud the matter to the point where
7 you don't feel with confidence that you have proof
8 that would justify a prosecution.

9 Q. Were there facts that came to light in this
10 investigation that affected the credibility of
11 Ms. Morrison as a complainant?

12 A. I don't know if I'd say credibility. But I
13 think you could -- it depends on how you approach it.
14 I think there were facts that caused issues that
15 could, in my opinion, make it hard to prove beyond a
16 reasonable doubt that she was the victim of a sexual
17 assault.

18 And, again, the most important thing is
19 to prove that she's a victim of an assault and to
20 prove that the person who victimized her was
21 Mr. Langrick and then pursuit of charges and
22 prosecution.

23 Q. Based on your review of the file, do you
24 see any indication that Mr. Langrick was ever
25 arrested for sexual assault?

1 A. I do not see any indication that he was
2 arrested for sexual assault.

3 Q. At the time in 2005, what was the standard
4 for obtaining an arrest warrant for a felony like
5 sexual assault?

6 A. Probable cause.

7 MR. PHILLIPS: Give me just one moment
8 here and I'm going to try to pull up DX-3.

9 (Exhibit DX-3 was marked
10 for identification.)

11 MR. PHILLIPS: So Defendant's Deposition
12 Exhibit DX-3 should be available for all to download
13 in the chat feature. I'm going to go ahead and
14 share it on my screen so Frank can see it.

15 Q. Frank, can you see on your screen the
16 document that we've marked as DX-3?

17 A. I do not see "DX-3" on it. It could be
18 further down on the page.

19 Yes, I see that now.

20 Q. I'll represent to you that this is
21 Ms. Morrison's answer to the counterclaims that
22 Mr. Langrick filed in this case. Again, you're free
23 to download and peruse the entire document, but I'm
24 going to direct you specifically to Ms. Morrison's
25 response to paragraph 11, which is on page 6 of this

1 C E R T I F I C A T E

2 I, Kimberly A. Smith, a Certified Shorthand
3 Reporter, Certified Realtime Reporter, Certified
4 Realtime Captioner, Registered Diplomate Reporter,
5 and Realtime Systems Administrator in and for the
6 State of New Hampshire, do hereby certify that the
7 foregoing is a true and accurate transcript of my
8 stenographic notes of the deposition of FRANCIS
9 THOMAS MORAN, who was first duly sworn, taken
10 virtually on the date hereinbefore set forth.

11 I further certify that I am neither attorney or
12 counsel for, nor related to or employed by any of
13 the parties to the action in which this deposition
14 was taken, and further that I am not a relative or
15 employee of any attorney or counsel employed in this
16 case, nor am I financially interested in this action.

17 THE FOREGOING CERTIFICATION OF THIS TRANSCRIPT
18 DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME BY
19 ANY MEANS UNLESS UNDER THE DIRECT CONTROL AND/OR
20 DIRECTION OF THE CERTIFYING COURT REPORTER.

21 Signed this 27th day of May, 2020.

22 
23

24 KIMBERLY A. SMITH, CSR, CRR, CRC, RDR

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1 ERRATA SHEET DISTRIBUTION INFORMATION

2 DEPONENT'S ERRATA & SIGNATURE INSTRUCTIONS

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5 ERRATA SHEET DISTRIBUTION INFORMATION

6 The original of the Errata Sheet has been

7 delivered to Andrew C. Phillips, Esquire.

8 When the Errata Sheet has been completed by

9 the deponent and signed, a copy thereof should be

10 delivered to each party of record.

11

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INSTRUCTIONS TO DEPONENT

15 After reading this volume of your deposition,

16 please indicate any corrections or changes to your

17 testimony and the reasons therefor on the Errata

18 Sheet supplied to you and sign it. DO NOT make

19 marks or notations on the transcript volume itself.

20 Add additional sheets if necessary. Please refer to

21 the above instructions for Errata Sheet distribution

22 information.

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